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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/405,946		09/27/1999	PIERRE HILAIRE	ART9901	1073
25197	7590	02/18/2004		EXAMINER	
LEARY &			MENDEZ, MANUEL A		
3900 NEWPARK MALL RD. THIRD FLOOR, SUITE 317				ART UNIT	PAPER NUMBER
NEWARK, CA 94560				3763	7/
				DATE MAILED: 02/18/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

		f					
	Application No.	Applicant(s)					
•	09/405,946	HILAIRE, PIERRE					
Office Action Summary	Examiner	Art Unit					
	Manuel Mendez	3763					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
Period for Reply	VIS SET TO EVOIDE A MONTH	(S) EDOM					
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of the period for reply within the set or extended period for reply will, by statute any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tir y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on 22 D	Responsive to communication(s) filed on <u>22 December 2003</u> .						
	· · · · · · · · · · · · · · · · · · ·						
•	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under E	=x parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.					
Disposition of Claims							
4) Claim(s) 1-4,7-13 and 16-19 is/are pending in the application.							
4a) Of the above claim(s) is/are withdra	4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.	· / 						
6)⊠ Claim(s) <u>1-4, 7-13, and 16-19</u> is/are rejected.							
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/o	or alaction requirement						
6) Claim(s) are subject to restriction and/o	n election requirement.						
Application Papers							
9) The specification is objected to by the Examiner.							
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Ex							
	Administration and according of mod	7,0,0,0,0,0,0,0,0,0					
Priority under 35 U.S.C. § 119							
12) ☐ Acknowledgment is made of a claim for foreign a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority document	ts have been received.						
2. Certified copies of the priority document							
 Copies of the certified copies of the prior application from the International Burea 		ed in this National Stage					
* See the attached detailed Office action for a list		ed.					
	• • • • • • • • • • • • • • • • • • • •						
Attachment(s)	_						
1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) A) Interview Summary (PTO-413) Paper No(s)/Mail Date							
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal	Patent Application (PTO-152)					
Paper No(s)/Mail Date	6)						

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DETAILED ACTION

Response to Amendment

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. The presentation of the final rejection on Paper No. 18 was premature.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

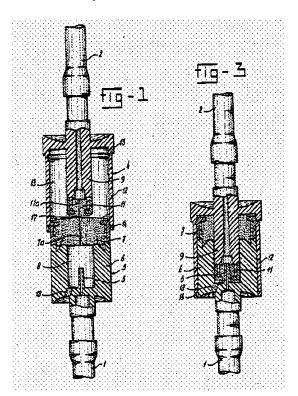
A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

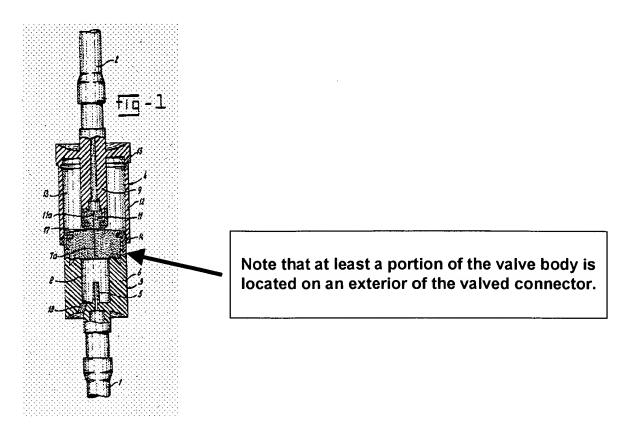
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Claims 1 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Wolff-Mooij, U.S. Patent No. 4,610,469.



In figures 1 and 3 above, the cited patent shows a connector body having a tubular portion extending therefrom; and a valve body including a valve element with a passage therethrough, the valve body being axially movable with respect to the connector body; wherein the valve body is movable from a closed position in which said tubular portion of the connector body is exterior to the passage of the valve element to an open position in which the tubular portion of the connector body is applied against the valve element to at least partially open the valve element. Concerning applicant's comments, the cited patent discloses a connector that does not require an external piece in order to open the valve element.

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Claim Rejections - 35 USC § 103

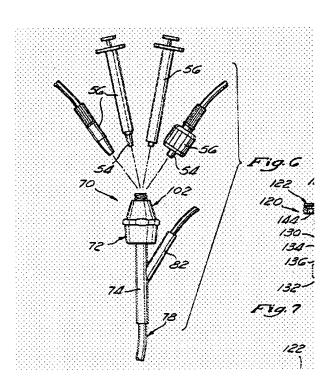
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4, 7-12, and 16-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff-Mooij, U.S. Patent No. 4,610,469, in view of Mayer. The Wolff-Mooij Patent does not disclose a connector body configured as a Y-shape connector. However, the design of Y-shape valve connectors is conventional as evidenced by the teachings of Mayer. The Mayer Patent demonstrates in figure 6

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(below) that enhancing a valve-connector design with an additional Y-connector is conventional in the art.



Based on the conventionality of Y-connector designs, it would have been obvious for a person of ordinary skill in the art to enhance the **Wolff-Mooij** connector structure with the addition of a Y-connector. Accordingly, such modification would have been considered an obvious design alternative.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel Mendez whose telephone number is 703-308-2221. The examiner can normally be reached on 0730-1800 hrs.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Brian Casler can be reached on 703-308-3552. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3590 for regular communications and 703-305-3590 for After Final communications.

Manuel Mendez Primary Examiner Art Unit 3763

February 16, 2004